



10/11/61 PAB
28.5.61

EXTRAORDINARY

PART II—Section 3—Sub-section (1) PUBLISHED BY AUTHORITY

No. 123, NEW DELHI, MONDAY, OCTOBER 10, 1960/ASVINA 18, 1882

MINISTRY OF FOOD AND AGRICULTURE

(Department of Food)

ORDER

New Delhi, the 10th October 1960

G.S.R. 1202.—Ess. Com./Sugar.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (X of 1955), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following Order:—

1. **Short title, extent and commencement.**—(1) This Order may be called the Sugar Control (State of Pondicherry) Order, 1960.

(2) It extends to the State of Pondicherry.

(3) It shall come into force at once.

2. **Application of Sugar (Control) Order, 1955.**—The Sugar (Control) Order, 1955, (hereinafter referred to as the said Order), as set out in the Schedule annexed hereto, is hereby applied to, and shall be in force in, the State of Pondicherry.

3. **Construction of references.**—Any reference in the said Order to the State or the State Government shall, in its application to the State of Pondicherry, be construed as a reference to the State of Pondicherry or the Chief Commissioner of Pondicherry as the case may be.

THE SCHEDULE

(See clause 2)

MINISTRY OF FOOD AND AGRICULTURE

ORDER

New Delhi, the 27th August 1955

S.R.O. 1862—Ess. Com./Sugar.—In exercise of the powers conferred by Section 3 of the Essential Commodities Act, 1955 (X of 1955), the Central Government hereby makes the following order:—

1. **Short title, extent and commencement.**—(1) This order may be called the Sugar (Control) Order, 1955.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force at once.

2. *Definitions.*—In this order unless the context otherwise requires:—

- (a) “dealer” means a person carrying on the business of purchasing, selling or distributing sugar;
- (aa) “Chief Director” means the Chief Director in the Directorate of Sugar and Vanaspati, Ministry of Food and Agriculture, and includes a Director and/or Deputy Director in that Directorate;
- (b) “ex-factory price” means the price of sugar inclusive of excise duty, packed as may be prescribed, and loaded at the buyer's option on buyer's carts, lorries, or other means of transport, or into railway wagons at the railway station or siding generally used by the producer, and includes all incidental charges which are on account of the ex-factory seller;
- (c) “producer” means a person carrying on the business of manufacturing sugar;
- (d) “sugar” means:—
 - (i) any form of sugar containing more than 90 per cent of sucrose including Khandsari sugar, sugarcandy and Bura sugar;
 - (ii) any sugar of crystalline structure; and
 - (iii) sugar in process in vacuum pan sugar factory or raw sugar produced therein.

3. *Powers to regulate production and movement of sugar.*—The Central Government may by order publish in the Official Gazette—

- (a) direct that no sugar shall be manufactured from sugarcane except under and in accordance with the conditions specified in a licence issued in this behalf whether on payment of a fee or otherwise;
- (b) prohibit or restrict the despatch of sugar from or to any State or any area therein.

4. The Central Government may by general or special order direct that no person shall transport or offer or accept for transport, whether by rail, road, or water, all or any specified type or grade of sugar except under:—

- (a) a general or special permit issued in this behalf;
- (b) a Military Credit Note. Provided that nothing in this clause shall apply to the transport of sugar not exceeding five seers as part of the personal luggage of a bona fide traveller.

5. *Power to fix sugar price.*—(1) The Central Government may from time to time by notification in the Official Gazette, fix the price or the maximum price at which any sugar may be sold or delivered, and different prices may be fixed for different areas/factories or different types or grades of sugar. Such price or maximum price shall be fixed with due regard to the price or minimum price fixed for sugarcane, manufacturing cost, taxes, reasonable margin of profit for producer and/or trade, and any incidental charges.

(2) Where the price or the maximum price has been so fixed, no person shall sell or purchase or agree to sell or purchase any sugar at a price in excess of that fixed under sub-clause (1):

Provided that the price at which sugar may be sold for delivery otherwise than at ex-factory price shall not exceed the price or the maximum price, as the case may be, fixed under sub-clause (1) for sale at ex-factory price plus such charges, in respect of transport to or in specified area and other incidental charges as approved by the Central Government.

6. *Power to allot quotas of sugar.*—The Central Government may, from time to time, by order allot quotas of sugar to any specified State or area.

6A. *Power to issue directions to supply sugar.*—The Central Government or the Chief Director may, from time to time, by order issue directions to any

producer or dealer to supply sugar of such type or grade, in such quantities to such areas or markets or to such persons or organisations and at such prices as may be specified in the order:

Provided that where the price or maximum price of any sugar has been fixed under sub-clause (1) of clause 5, the Central Government or the Chief Director, as the case may be, shall in respect of such sugar specify in the order the price or the maximum price, as fixed.

7. *Power to issue directions to producers and dealers*.—The Central Government or the Chief Director, may, from time to time, by general or special order issue to any producer or dealer or any class of producers or dealers such directions regarding the production, maintenance of stocks, storage, sale, price, grading, packing, marking, weighment, disposal, delivery and distribution of sugar as it may deem fit.

8. Any officer empowered in this behalf by the Central Government may—

- (a) direct any producer or dealer to maintain such records as he may specify;
- (b) direct any producer or dealer to furnish such information as he may require;
- (c) inspect or cause to be inspected any books or other documents belonging to or under the control of a producer or a dealer;
- (d) enter and search or authorise any person to enter and search any premises of a producer or a dealer;
- (e) seize stocks of sugar or authorise any person to seize such stocks in respect of which he has reason to believe that a contravention of this Order has been, or is being or is about to be committed; and such stocks may be disposed of in accordance with any directions issued by the Central Government in this behalf.

9. Every producer, dealer or other person to whom any order or direction is issued under any powers conferred by or under this order shall comply with such order or direction.

10. *Delegation of powers*.—The Central Government may, by notification in the Official Gazette, direct that all or any powers conferred upon it by this order shall, subject to such restrictions, exceptions and conditions, if any, as may be specified in the direction, be exercisable also by:—

- (a) any officer or authority of the Central Government;
- (b) a State Government or any officer or authority of a State Government.

11. *Repeal and Saving*.—(1) The Sugar and Gur Control Order, 1950, published with the Government of India in the Ministry of Food and Agriculture S.R.O. No. 735 dated the 7th October, 1950, and any order made by a State Government or other authority regulating or prohibiting the production, supply and distribution of sugar and trade or commerce therein are, hereby repealed, except as respect things done or committed to be done under any such order before the commencement of this order.

(2) Notwithstanding such repeal, an Order made by any authority, which is in force immediately before the commencement of this Order and which is consistent with this Order, shall continue in force and all appointments made, prices fixed, licences and permits granted, and directions issued under any such Order and in force immediately before such commencement shall likewise continue in force and be deemed to be made, fixed, granted, or issued in pursuance of this Order.

[No. 2-3/60-SV.]

M. K. KIDWAI, Joint Secy.

